### IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA Charlotte Division

In re:		
		Case Number: 18-30241
BK Racing, LLC,		
_		Chapter 11
	Debtor.	

# MOTION FOR AUTHORITY TO SELL PROPERTY FREE & CLEAR OF LIENS – VARIOUS PERSONAL PROPERTY

Matthew W. Smith, the chapter 11 trustee in the above-captioned case (the "Trustee"), by and through counsel, hereby presents this *Motion for Authority to Sell Property Free & Clear of Liens – Various Personal Property* (this "Motion") and, in support hereof, respectfully shows the Court as follows:

#### **JURISDICTION**

- 1. On February 15, 2018 (the "Petition Date"), BK Racing, LLC (the "Debtor") filed for relief under chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* (the "Code"), initiating the above-referenced bankruptcy case (this "Case").
- 2. The Court appointed the Trustee as the Debtor's chapter 11 trustee pursuant to a written Order entered on March 30, 2018 (D.E. 87).
- 3. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (M), and (O). Venue properly lies in this judicial district pursuant to 28 U.S.C. § 1409(a). The statutory predicates for the relief requested in this Motion are §§ 105 and 363 of the Code.

#### **BACKGROUND**

4. The property of the Debtor's estate includes various personal property as follows: a 2006 High-Tech Transporter VIN 1163; a 2007 Volvo Tractor VIN -3298; and certain

equipment and other personal property that is being stored in Statesville, NC. A list of the items that the Trustee proposes to sell through this Motion (the "Personal Property") appears on the offer (the "Offer") from Obaika Racing, LLC ("Obaika") attached as <u>Exhibit A</u>. None of the Personal Property subject to the Offer is currently being used by the Trustee in the Debtor's racing operations.

- 5. The Trustee obtained an appraisal of the Personal Property that provided an estimated total value of \$382,000.00. The Trustee has agreed, subject to court approval, to sell the Personal Property pursuant to the Offer for the total sum of \$265,000.00.
- 6. The Trustee is informed and believes that the titled vehicles that he proposes to sell through this Motion were used as collateral for a lien from SunTrust Bank, and that that lien was satisfied before the Petition Date. However, the Trustee is further informed that the prior liens remain as encumbrances on the titles for those vehicles. The Trustee is in the process of applying for a replacement titles that will indicate that the SunTrust liens have been released.

#### RELIEF REQUESTED AND BASIS FOR RELIEF

- 7. By this Motion, the Trustee seeks an Order approving the sale of the Personal Property to Obaika free and clear of liens.
- 8. Section 363(b)(1) of the Bankruptcy Code provides that "the trustee, after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate . . . ." To the extent that any of the Personal Property is encumbered by liens, Section 363(f)(5) of the Bankruptcy Code authorizes the sale of the same free and clear of all liens, with any valid liens to transfer to sale proceeds, because any lienholders could be compelled to accept a money satisfaction.

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Exhibit A includes a subset of personal property assets that the Trustee does request authority to sell, which are denoted as the "Excluded Statesville Assets."

9. Pursuant to Fed. R. Bankr. P. 2002(a)(2), parties in interest are entitled to 21-days' notice of the proposed sale of property of the estate other than in the ordinary course of business. This Court's Local Rules permit negative notice of motions to sell. L.R. 9013-1(f)(1).

#### **ARGUMENT**

- 10. The Offer reflects a negotiated agreement with Obaika that permits the Trustee to capture \$265,000.00 for the benefit of the bankruptcy estate.
- 12. In the opinion of the Trustee, the Offer reflects a fair price and approval of the Offer as proposed herein would reflect the best interests of the Debtor's creditors. For these reasons, the Trustee requests an Order approving the proposed sale free and clear of liens pursuant to § 363(f), with any valid liens thereon to transfer to the proceeds.
- 13. The Trustee further requests authority to execute the necessary documentation to affect the transfer, including but not limited to the Bill of Sale and Certificates of Title, upon the sale of the Personal Property.
- 14. The Trustee requests authority to deposit any funds received prior to the sale of the Personal Property in the bank account for this case in advance of entry of an Order on this motion to be held pending resolution of this motion.

WHEREFORE, the Trustee prays that the Court will enter an Order:

- 1) Granting this Motion and approving the sale of the Personal Property to Obaika free and clear of liens with any valid liens to attach to the proceeds;
- 2) Authorizing the Trustee to execute the necessary documentation, including a Bill of Sale and Certificates of Title, to effectuate legal transfer the Personal Property;
- 3) Authorizing the Trustee to deposit any funds received in advance of entry of an Order on this Motion in the bank account for this case *nunc pro tunc*; and

4) Granting such other relief as is just and proper.

This, the 16th day of July, 2018.

/s/ A. Cotten Wright

A. Cotten Wright (N.C. State Bar No. 28162) Anna S. Gorman (N.C. State Bar No. 20987) Grier Furr & Crisp PA 101 North Tryon Street, Suite 1240 Charlotte, North Carolina 28246 Telephone: 704/375.3720; Fax: 704/332.0215 cwright@grierlaw.com

Attorneys for Matthew W. Smith, Trustee

# Case 18-30241 Doc 157 Filed 07/16/18 Entered 07/16/18 13:20:01 Desc Main Document Page 5 of 27 **EXHIBIT A**

Obaika Racing Offer to Purchase BK Racing Assets

#### Titled Vehicles

Item #	Description
Transporter (83)	Transporter (83) - 2007 High-Tech Transporter
Volvo - Tractor (83)	2007 Volvo - Tractor (83) -524,084 miles

#### **Equipment & Fixed Assets**

Item #	Description
#501 - 515	Transp: (VIN:1163) (ALL) (goes with 83 Transporter)
258	2013 Richardson Racing Productions Inc. Toyota Template with 2017 Update
259	Electric Template Carriage
260	Surface Plate
377	Pit Generator (Need to identify and Confirm)
386	Utility Pit Cart with Contents to include (note need to identify & confirm)
410	Complete Pit Tool Box with Contents to include(Note need to identidy and confirm)
#650 - 746	Statesville All (except Excluded) (Includes #722)

Note: Includes Livingston and Haven Pull Down Rig with 4-Post Lift (#722)

#### Excluded Statesville Assets

Item #	Description	
674	Nitro Pit Garage Tool Box -	
683	Pit Utility Cart with Fuel Dump Can, (3) Sections of Air Hose, Approximately (3) Bl	
684	Nitro Utility Pit Cart -	
728	Pit Road Tool Box and Pit Suite (Long Bed) - 83	
730	Pit Tool Cart and Contents to include Set of Jack Stands, Pneumatic Hand Tools, H -	
731	Pit Garage Utility Cart with Water Tank, Low Profile Cart, (3) Fuel Dump Cans, Wa -	
800	93 - Six Passenger Golf Cart - Gas	
801	93 - Six Passenger Golf Cart - Elect (BK 1178)	
723	Ingersoll Rand TS5 CBV2411509 (Air Compressor?)	
802	Jet Drill Press	
803	83 Crash Cart	
804	23 Crash Cart	

#### Chassis

Item #	Description	Condition	Include
414	CAR 414, Chassis No. RBR 4140211, Style ST	Partial Body	YES
402	CAR 402, Chassis No. RBR 4021110, Style ST	Full Body - Full Suspension	YES
420	CAR 420, Chassis No. RBR 4200411, Style RC	Full Body - Suspension - No Hubs	YES
419	CAR 419, Chassis No. RBR 4190311, Style INT	Full Body - Suspension - No Hubs	YES
1404	CAR 1404, Chassis No. BKR 14040614, Style INT	Partial Body - No Suspension	YES
1405	CAR 1405, Chassis No. BKR 14050714, Style ST	Partial Body - No Suspension	YES
1403	CAR 1403, Chassis No. RKR 14030614, Style INT	Texas B/U / Police Tribute - Full Suspension	YES
324	CAR 324, Chassis No. RBR 3240510, Style SS	Full Body - Full Suspension	YES
1501	CAR 1501, Chassis No. RKR 15010515, Style INT	Bare Chassis	YES
1304	CAR 1304, Chassis No. BK 13041213, Style SS	Richardson - Missing RS and Suspension	YES
413	CAR 413, Chassis No. RBR 4130211, Style ST	Bare Chassis	YES
429	CAR 429, Chassis No. RBR 4290711, Style INT	Greenhouse Down	YES
428	CAR 428, Chassis No. RBR 4280611, Style INT	Bare Chassis	YES
1402	CAR 1402, Chassis No. BKR 14020414, Style INT	Bare Chassis	YES
423	CAR 423, Chassis No. RBR 4230511, Style INT	Bare Chassis	YES
407	CAR 407, Chassis No. RBR 4071210, Style INT	Fairly Complete #23	YES
409	CAR 409, Chassis No. RBR 4090111, Style ST/INT	Bare Chassis	YES
424	CAR 424, Chassis No. RBR 4240511, Style INT	Greenhouse Down	YES
426	CAR 426, Chassis No. RBR 4260611, Style INT	Bare Chassis	YES

#### **Excluded Chassis**

 Item #	Description	Condition	Include
 408	CAR 408, Chassis No. RBR 4081210, Style INT	BK Pit Car	Exclude
904	CAR 904	Gannassi ' 15	Exclude
704	CAR 704, Chassis No. MWR 704	Waltrip Pit Car	Exclude

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### BK Racing Asset List As of 5-9-18

Item #	LOC	Location	QTY AVAIL	Item Description
258	Main	Finish Fab Room	1	2013 Richardson Racing Productions Inc. Toyota Template with 2017 Update
259	Main	Finish Fab Room	1	Electric Template Carriage
260	Main	Finish Fab Room	1	Surface Plate
377	Main	Encl Rear Truck Bay	1	Pit Generator
				Utility Pit Cart with Contents to include Water Buffalo Rolling Tool Chest, Low Profile Cart, (4) Military
386	Main	Encl Rear Truck Bay	1	Style Gas Cans, (2) Garage Used Fuel Dump Cans with Fittings, Cherry Picker
				Complete Pit Tool Box with Contents to include Computer System, Mechanics Tools, Set of Jack Stands,
410	Main	Encl Rear Truck Bay	1	Set of Digital Scales, Vise, Car Parts, Lubricants and Solvents
501	Movable	Transp: (VIN:1163)	1	Roerig Shock Dyno, Model #: 1210AF-5K-B and Computer
502	Movable	Transp: (VIN:1163)	35	Approximately (35) Penske Shocks
				Motorola Racing Electronics Radio Set, (12) XPR 650 with (2) Charging Docks, (11) EX500, (3) EX600 XLS,
503	Movable	Transp: (VIN:1163)	1	with Docks
504	Movable	Transp: (VIN:1163)	1	Fuel Pump
505	Movable	Transp: (VIN:1163)	1	Intercomp CC Gauge
506	Movable	Transp: (VIN:1163)	1	Prosystem Brake Bias Gauge Set
507	Movable	Transp: (VIN:1163)	1	Portable Oil Pump
508	Movable	Transp: (VIN:1163)	1	Insigns Deep Freezer
509	Movable	Transp: (VIN:1163)	1	Set of Headers
510	Movable	Transp: (VIN:1163)	4	(4) Stanly Fans
511	Movable	Transp: (VIN:1163)	60	Approximately (60) Sets of Head Phones and Scanners
512	Movable	Transp: (VIN:1163)	2	(2) Fan Vision Units
513	Movable	Transp: (VIN:1163)	100	Approximately (100) Springs
514	Movable	Transp: (VIN:1163)	1	Spring Dyno
515	Movable	Transp: (VIN:1163)	10	Approximately (10) Axles
650	State	Statesville Warehouse	1	Nautilus Crossover Machine
651	State	Statesville Warehouse	1	Nautilus Smith Machine
652	State	Statesville Warehouse	1	Nautilus Incline Sit-up Bench
653	State	Statesville Warehouse	1	Hammer Strength Behind The Neck Press
654	State	Statesville Warehouse	1	Hammer Strength ISO Lateral Front Lot Pull Down
655	State	Statesville Warehouse	1	Body Smith Weight Tree with Free Weights
656	State	Statesville Warehouse	1	Incline Bench Press
657	State	Statesville Warehouse	1	Body Solid Squat Rack
658	State	Statesville Warehouse	1	Hamstring Curl Bench
659	State	Statesville Warehouse	1	Star Trac Treadmill
660	State	Statesville Warehouse	1	Schwinn Limited Edition Stationary Bike
661	State	Statesville Warehouse	1	Concept II Indoor Rower
662	State	Statesville Warehouse	1	Nautilus Bench Press
663	State	Statesville Warehouse	22	(22) Rubber Mats Under Weight Equipment
664	State	Statesville Warehouse	1	Craftsman Low Profile Jack
665	State	Statesville Warehouse	4	(4) Fuel Pump Can Nozzles
666	State	Statesville Warehouse	15	Approximately (15) Containers of Lug Nuts
667	State	Statesville Warehouse	10	Approximately (10) Sections of Air Hose
668	State	Statesville Warehouse	4	(4) 5 Gallon Buckets of Cleaning Solvent
669	State	Statesville Warehouse	1	Mac Tools Vacuum Air Gun
670	State	Statesville Warehouse	20	Approximately (20) Bins of Used Bolts and Air Gun Parts
	State	Statesville Warehouse	7	(7) Dewalt Chargers with (4) Batteries
672	State	Statesville Warehouse	8	Approximately (8) Aerosol Cans of Glass Cleaner
	State	Statesville Warehouse	20	Approximately (20) Aerosol Cans of Brake Cleaner
	State	Statesville Warehouse	2	(2) Chassis Surface Plates
	State	Statesville Warehouse	1	Barrel Fan
	State	Statesville Warehouse	1	Partial 55 Gallon Drum of Lug Nuts
	State	Statesville Warehouse	4	(4) Pallets of Fixtures and Fabricated Chassis Parts
	State	Statesville Warehouse	1	Wooden Cart on Casters
	State	Statesville Warehouse	100	Approximately (100) Race Tires with Wheels
681	State	Statesville Warehouse	2	(2) Yellow 5-Step Warehouse Ladders
	State	Statesville Warehouse	2	(2) Rubbermaid Trash Cans
	State	Statesville Warehouse	1	Folding Table
	State	Statesville Warehouse	25	Approximately (25) Magliner CooLift Delivery System
	State	Statesville Warehouse	2	(2) Front Nose Cones with Front Clips
	State	Statesville Warehouse	15	Approximately (15) Hoods
	State	Statesville Warehouse	6	Approximately (6) Truck Arms
	State	Statesville Warehouse	1	New C & R Radiator
691	State	Statesville Warehouse	9	Approximately (9) Fabricated Fuel Cell Seats

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# **BK Racing Asset List** As of 5-9-18

Item #	LOC	Location	QTY AVAIL	Item Description
692	State	Statesville Warehouse	1	Spectrum Mobil Diagnostics Car Machine
693	State	Statesville Warehouse	37	Approximately (37) Cases of ZAK Window Cleaner
694	State	Statesville Warehouse	3	(3) Shelves of Fabricated Race Car Parts
695	State	Statesville Warehouse	31	Approximately (31) Race Car Suspension Springs
696	State	Statesville Warehouse	1	Landra Gold Series Steam Cleaner
697	State	Statesville Warehouse	4	(4) Wooden Desk
698	State	Statesville Warehouse	1	Rear Body Section for Race Car
699	State	Statesville Warehouse	1	Huffy Sports Basketball Goal
700	State	Statesville Warehouse	1	Nitro Tire Dolly
701	State	Statesville Warehouse	1	Unbranded Tire Dolly
702	State	Statesville Warehouse	1	Fuel Cell
703	State	Statesville Warehouse	8	Approximately (8) Shelves of Jig Fixtures
704	State	Statesville Warehouse	1	55 Gallon Drum of Scrap Metal
705	State	Statesville Warehouse	1	55 Gallon Drum of Jig Fixtures
706	State	Statesville Warehouse	2	(2) Rear End Housing
707	State	Statesville Warehouse	4	(4) Boom Tubes
708	State	Statesville Warehouse	1	Partial Roll of Carpet
709	State	Statesville Warehouse	1	Pallet of Chassis Components
710	State	Statesville Warehouse	1	Gaylord Pallet of Lower A-Arms, Jig Fixtures, Canvas ? And Cool Suit Bag
711	State	Statesville Warehouse	1	Snap On 2 1/2 Ton Floor Jack
712	State	Statesville Warehouse	1	Front Clip Fixture and Jigs
713	State	Statesville Warehouse	5	(5) C & R Radiators
714	State	Statesville Warehouse	230	Approximately (230) Race Car Rims
715	State	Statesville Warehouse	48	(48) Folding Chairs
716	State	Statesville Warehouse	1	Wall Mount Air Hose Reel
717	State	Statesville Warehouse	1	Acetylene Torch Set
718	State	Statesville Warehouse	25	Approximately (25) 4-Shelf Parts Carts with Interior Parts and Chassis Parts
719	State	Statesville Warehouse	1	Rolling Fixture Rack
720	State	Statesville Warehouse	1	Porta Cool Reconditioned 36" Variable Speed Air Conditioner
721	State	Statesville Warehouse	1	Beverly Shear Stand, Model #B2
723	State	Statesville Warehouse	1	Ingersoll Rand TS5 CBV2411509
724	State	Statesville Warehouse	1	Uline Banding Cart
725	State	Statesville Warehouse	1	Water Tank Dolly
726	State	Statesville Warehouse	1	Vidmar Chassis and Fixture Cabinet
728	State	Statesville Warehouse	1	Pit Road Tool Box and Pit Suite
729	State	Statesville Warehouse	1	Gaylord Pallet of Banners, Coolsuit Hoses and Barriers
732	State	Statesville Warehouse	3	(3) Ice Hole High Performance Coolers
	State	Statesville Warehouse	1	Coated Locker Room Bench
734	State	Statesville Warehouse	12	(12) Team Members Lockers
735	State	Statesville Warehouse	1	Suspension Rack Suspension Rack
	State	Statesville Warehouse	1	Metal Rack
737	State	Statesville Warehouse	1	Conference Table
738	State	Statesville Warehouse	11	Approximately (11) Folding Chairs
	State	Statesville Warehouse	1	Dell 42" Monitor
	State	Statesville Warehouse	1	Wooden Desk, Credenza
741	State	Statesville Warehouse	1	QMI 5-Shelf Locking Cabinet
	State	Statesville Warehouse	20	Approximately (20) Pairs of New Mechanix Wear Gloves
	State	Statesville Warehouse	1	Swivel Arm Chair
744	State	Statesville Warehouse	4	(4) Small Containers
	State	Statesville Warehouse	5	(5) Open Boxes of New Mechanix Wear Gloves
746	State	Statesville Warehouse	2	(2) Jack Handles

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### IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA Charlotte Division

In re:		
		Case Number: 18-30241
BK Racing, LLC,		
		Chapter 11
	Debtor.	

#### **NOTICE OF OPPORTUNITY FOR HEARING**

TAKE NOTICE that the trustee in this case (the "Trustee"), has filed the *Motion for Authority to Sell Property Free & Clear of Liens – Various Personal Property* (the "Motion"), seeking court approval to sell certain personal property of the Debtor's bankruptcy estate that is not being used in the Debtor's racing operations to Obaika Racing, LLC for the sum of \$265,000.00. Copies of the Motion are available from the undersigned or from the Bankruptcy Court's web site at: http://www.ncwb.uscourts.gov.

Your rights may be affected. You should read this Notice carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief requested in the Motion, or if you want the Court to consider your views on the Motion, then on or before <u>July 31, 2018</u>, you or your attorney must do three (3) things:

1. File with the Court a written request for a hearing at:

U.S. Bankruptcy Court 401 W. Trade St. Charlotte, NC 28202

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

2. On or before the date stated above for filing your written request for hearing, you must also mail, email, or fax a copy of your written request for hearing to:

BK Racing, LLC c/o Grier Furr & Crisp, P.A. 101 North Tryon Street, Suite 1240 Charlotte, NC 28246 Fax: (704) 332-0215 3. If you request a hearing, you or your attorney must attend a hearing which would be held at **9:30 a.m**. on **August 14, 2018**, in Bankruptcy Courtroom 1-4 in the United States Courthouse, 401 West Trade Street, Charlotte, North Carolina. No hearing will be held unless you request it.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief requested in the Motion and may enter an order granting the Motion.

This, the 16th day of June, 2018.

/s/A. Cotten Wright

A. Cotten Wright (N.C. State Bar No. 28162) Grier Furr & Crisp PA 101 North Tryon Street, Suite 1240 Charlotte, North Carolina 28246 Telephone: 704/375.3720; Fax: 704/332.0215 cwright@grierlaw.com

Attorneys for Matthew W. Smith, Trustee

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### IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA Charlotte Division

In re:		
		Case Number: 18-30241
BK Racing, LLC,		
		Chapter 11
	Debtor.	

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that copies of the foregoing *Motion for Authority to Sell Property Free & Clear of Liens – Various Personal Property* and corresponding *Notice of Opportunity for Hearing* were served electronically on those parties registered to receive ECF electronic service in this case and on Obaika Racing, LLC by mail as set forth below.

Obaika Racing, LLC c/o Shawn A. Copeland, R/A 215 S Main Street Ste 301 Davidson, NC 28036-8039

Obaika Racing, LLC c/o Shawn A. Copeland, R/A PO Box 430 Davidson, NC 28036

Obaika Racing, LLC 806 Performance Road Mooresville, NC 28115-9591

In addition, the undersigned hereby certifies that copies of the foregoing *Notice of Opportunity for Hearing* were served on the parties listed on the attached creditor matrix.

This, the 16th day of July, 2018.

/s/ A. Cotten Wright

A. Cotten Wright Grier Furr & Crisp PA 101 North Tryon Street, Suite 1240 Charlotte, North Carolina 28246

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Label Matrix for local noticing 0419-3 Case 18-30241 Western District of North Carolina

Charlotte

Fri Jul 13 15:58:14 EDT 2018 Race Engines Plus, LLC

c/o Derek P. Adler, Esq. DeVore, Acton & Stafford PA 438 Queens Road

Charlotte, NC 28207-1422

Union Bank & Trust 101 North Tryon Street Suite 1900

Charlotte, NC 28246-0103

A & R Foods LLC 6320 Augusta Drive Suite 1400 Springfield, VA 22150-2523

ATI Performance 6747 Whitestone Road Baltimore, MD 21207-4173

Aegis Sciences Corporation P. O. Box 645471 Cincinnati, OH 45264-5471

Airtight Facilitech 1338 Hundred Oaks Drive Suite C Charlotte, NC 28217-4067

Amanda R. Pickens Robinson Bradshaw & Hinson PA 101 N Tryon Street Ste 1900 Charlotte, NC 28246-0106

Annemarie DiNardo Cleary Eckert Seamans Cherin & Mellott LLC 919 East Main Street Ste 1300 Richmond, VA 23219-4624

Arrow Composites PO Box 392 Harrisburg, NC 28075-0392 BK Racing, LLC 6780 Hudspeth Road Harrisburg, NC 28075-5006

The Henderson Law Firm c/o James H. Henderson 1201 Harding Place Charlotte, NC 28204-2826

Charlotte Division 401 West Trade Street Charlotte, NC 28202-1633

A&R Foods, Inc. 6320 Augusta Drive Suite 200 Springfield, VA 22150-2527

Adam Long 366 Longs Road Tar Heel, NC 28392-9422

Aerodyn Wind Tunnel 135 Godspeed Lane Mooresville, NC 28115-7181

Alex Equipment Inc. 380 Friendship Church Road Taylorsville, NC 28681-8995

Andrew Combs 133 Eagle Court Mooresville, NC 28117-8022

Apex Magnets 157 RMX Way Petersburg, WV 26847-8953

Automotive Racing Products 1863 Eastman Ave Ventura, CA 93003-8084 Champion Tire & Wheel, Inc. c/o Andrew T. Houston Moon Wright & Houston, PLLC 121 W. Trade Street Suite 1950 Charlotte, NC 28202-1176

U.S. Bankruptcy Administrator Office 402 W. Trade Street Suite 200 Charlotte, NC 28202-1673

121 Shadow Woods Road 121 Statesville, NC 28677-8739

ASG Security PO Box 650837 Dallas, TX 75265-0837

Advantage Truck Center 3880 Jeff Adams Drive Charlotte, NC 28206-1259

Airr Force Racing Products 311 N.E. 14 Avenue Fort Lauderdale, FL 33301-1752

Allied Sheet Metal Works, Inc 612 Charles Avenue Charlotte, NC 28205-1040

Andrew T. Houston Moon Wright & Houston, PLLC 121 West Trade Street Suite 1950 Charlotte, NC 28202-1176

Aritec Inc 44174 Airport Road Suite 300 California, MD 20619-2037

Ave Motorsports Inc 4486 Providence Mill Road Maiden, NC 28650-8520

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B&B Hose & Rubber Co Inc 4604 Bainbridge Blvd. Chesapeake, VA 23320-6306 B.R.E Motorsports 6901 Belt Road Concord, NC 28027-2944 BDO USA 8401 Greensboro Drive Suite 800 Mc Lean, VA 22102-3599

BRC Loans LLC 6320 Augusta Drive Suite 1400 Springfield, VA 22150-2523 BRC Loans LLC 6403 Burke Woods Drive Burke, VA 22015-3932 Barb Sutton Group 599 State Route 487 Elysburg, PA 17824-7056

Beth B. Carter Law Offices of Beth B. Carter, PLLC P.O. Box 1553 Denver, NC 28037-1553 Beth B. Carter PO Box 1553 Denver, NC 28037-1553

Birmingham Marriott 3590 Grandview Pkwy Birmingham, AL 35243-1946

Bluewater Partners LLC 150 Kevin Drive Troutman, NC 28166-8683 Bluewater Partners LLC c/o David P Parker PLLC 242 East Broad Street Statesville, NC 28677-5325 Bluewater Partners, LLC P.O. Box 7137 Statesville, NC 28687-7137

Bordeaux Dyno Cams 22247 Andrew Jackson Hwy Delco, NC 28436 Bordeaux Dyno Cams 22247 Andrew Jackson Hwy E Delco, NC 28436 BrandRPM 4910 Starcrest Dr Monroe, NC 28110-8497

Breaking Limits P.O. Box 607 Trinity, NC 27370-0607 Brenda S. Devine 6403 Burke Woods Court Burke, VA 22015-3932 Brett Moffitt 246 Elrosa Rd. Mooresville, NC 28115-5812

Brisco 251 Buckeye Cove Road Swannanoa, NC 28778-2819 Brown & Miller Racing 4005 Dearborn Place NW Concord, NC 28027-4624 Brunnhoelzl Racing 803 Performance Road Mooresville, NC 28115-9597

C&R Racing, Inc. 301 Cayuga Drive Suite A Mooresville, NC 28117-8226 Cabarrus County Tax Collector Courthouse Box 707 Concord, NC 28025 Caitlin A. Counts Alston & Bird LLP 101 South Tryon Street Suite 4000 Charlotte, NC 28280-4000

Carolina Industrial Truck, Inc. P.O. Box 411391 Charlotte, NC 28241-1391 Carolina Installations 214 Prairie Drive Lexington, NC 27292-8116 Carolina Landmark Realty, LLC P.O. Box 6603 Statesville, NC 28687-6603

Carolina Tape and Supply Corp. P.O. Box 2488 Hickory, NC 28603-2488 Carolina's Independent Truckers Service 1606 E. Church Street Cherryville, NC 28021-9174 Carrillo 1902 McGraw Avenue Irvin, CA 92614-0910

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Cenit North America 691 Squirrel Road Suite 275 Auburn Hill, MI 48326-2833 Chad Allum

Champion Air LLC c/o Dale Earnhardt Inc 1675 Dale Earnhardt Blvd Highway 3 Mooresville, NC 28115-8330

Champion Tire & Wheel 11106 Treynorth Drive Cornelius, NC 28031-8190 Chek Industries, Inc P.O. Box 686 128 S. Iredell Industrial Park Road Mooresville, NC 28115-7128 Christopher Thaddeus Longmore Dugan McKissick & Longmore 22738 Maple Road Suite 101 Lexington Park, MD 20653-3366

Cintas P.O. Box 630803 Cincinnati, OH 45263-0803 City Electric Supply 261 Rolling Hill Road Suite 2A Mooresville, NC 28117-6505 City of Charlotte P.O. Box 1316 Charlotte, NC 28201-1316

City of Charlotte Water Billing Center PO Box 1316 Charlotte, NC 28201-1316 City of Concord P.O. Box 580469 Charlotte, NC 28258-0469 City of Roanoke Photo Enforcement Customer Service Center 7018 Baker Blvd. Richland Hills, TX 76118-6324

Class C Solutions Group P.O. Box 78845 Milwaukee, WI 53278-8845 Clifton W. Homesley 330 South Main Street Mooresville, NC 28115-3262 Coast Fabrication, Inc 16761 Burke Lane Huntington Beach, CA 92647-4560

Cody McCray 3951 Picasso Ct Charlotte, NC 28205-4564

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Windstream P.O. Box 9001908 Louisville, KY 40290-1908

Wyatt Law, PLLC Post Office Box 12352 Raleigh, NC 27605-2352

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Yeley Racing Corp 121 Leeward Shoals Lane Mooresville, NC 28117-8917 Yeley Racing Corp 8124 Parkton Gate Drive Huntersville, NC 28078-4843 Zachary R Case 432 Riverwald Drive NW Concord, NC 28027-2540

iDNS 924 Bergen Ave Suite #289 ronald g ingalls 210 senior cir Lompoc, ca 93436

Matthew W. Smith The Finley Group 212 South Tryon St.

924 Bergen Ave Suite #289 Jersey City, NJ 07306-3018

210 senior cir Lompox,, CA 93436-1491

Suite 1050 Charlotte, NC 28281-0003

Michael Wright 295 Overcash Road Troutman, NC 28166-8774 Ronald Ingalls c/o Bell, Davis & Pitt, P.A. 227 West Trade Street Suite 1800 Charlotte, NC 28202-2665

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

(d)Internal Revenue Service Cincinnati, OH 45999-0039 PSNC Energy P.O. Box 100256 Columbia, SC 29202-3256 Sprint P.O. Box 4181 Carol Stream, IL 60197

Texas Comptroller of Public Accounts P.O. Box 149348
Austin, TX 78714-9348

Addresses marked (c) above for the following entity/entities were corrected as required by the USPS Locatable Address Conversion System (LACS).

Delphi Packard 5725 Delphi Drive Troy, MI 48098-2815

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

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(u) The Finley Group, Inc.

Document Page 2

(u) The Finley Group, Inc.

(d)A&R Foods, Inc. 6320 Augusta Drive Suite 1400

Springfield, VA 22150-2523

(d)Airtight Facilitech
1338 Hundred Oaks Drive Ste C
Charlotte, NC 28217-4067

(d)Annemarie DiNardo Cleary Eckert Seamans Cherin & Mellott, LLC

919 East Main Street

Suite 1300

Richmond, VA 23219-4624

(d)Arrow Composites, LLC

PO Box 392

Harrisburg, NC 28075-0392

(d) Beth B. Carter

The Law Offices of Beth B. Carter PLLC

P.O. Box 1553

Denver, NC 28037-1553

(d) Bluewater Partners, LLC

150 Kevin Drive

Troutman, NC 28166-8683

(d) Bluewater Partners, LLC

PO Box 7137

Statesville, NC 28687-7137

(d) Champion Tire & Wheel, Inc.

11106 Treynorth Drive Cornelius, NC 28031-8190 (d) Champion Tire & Wheel, Inc.

11106 Treynorth Drive Cornelius, NC 28031-8190 (d)City of Charlotte

PO Box 1316

Charlotte, NC 28201-1316

(d) Components USA PO Box 13254

Newark. NJ 07101-3254

(u) Corey Rosinsky

(u)Dalana Parker

(d)Douglas S. Fritz 9610 Rayneridge Drive

Huntersville, NC 28078-7668

(d) Enterprise Holdings Inc

PO Box 840173

Kansas City, MO 64184-0173

(d)Enviro-Master PO Box 12350

Charlotte, NC 28220-2350

(u) James Roland

(d) James, McElroy & Diehl, PA

525 N. Tryon Street

Suite 700

Charlotte, NC 28202-0204

(u) John Zeggert

(u) Josh Horton

(u) Mark Randall

(d) NASCAR Event Management, Inc.

Attn: General Counsel
One Daytona Boulevard
Daytona Possb FI 22114-1

Daytona Beach, FL 32114-1212

(d) NC Department of Revenue

P.O. Box 25000

Raleigh, NC 27640-0002

(d) NC Department of Revenue

PO Box 25000

Raleigh, NC 27640-0002

(d) Nathaniel David Tallman 1554 Broderick Street NW Concord, NC 28027-3530

(d) Nelson Mullins Riley & Scarborough, LLP

c/o B. Keith Poston P.O. Box 11070

Columbia, SC 29211-1070

(d)PLIC- SBD GRAND ISLAND P.O. Box 10372

Des Moines, IA 50306-0372

(u) Panki Racing Systems UK Ltd Industriestra Be West 4

Kapfenberg

A-8605

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(d)Patrick Cole 149 single Oak dr Troutman, NC 28166-8764 (d)Pedro Martinez Jr. 2120 Bradshaw Road Mooresville, NC 28115-8381 (d) Precision Products PO Box 1229 Arden, NC 28704-1229

(d) Precision Products Performance Center

POB 1229

Arden NC 28704-1229

(d)Race Engines Plus, LLC c/o Derek P. Adler, Esq. DeVore, Acton & Stafford PA

438 Queens Road

Charlotte, NC 28207-1422

(d)Race Team Alliance Inc. 13420 Reese Blvd. West Huntersville, NC 28078-7925

(d)Richard L. Robertson Robertson & Associates 2730 East W.T. Harris Blvd.

Suite 101

Charlotte, NC 28213-4063

(u) Richard Terry

(u) Robert Brooks

(d)Robert Jeffrey 334 E Kearney PMB 292

Springfield, MO 65803-3018

(d) Signals Seals & Fasteners

PO Box 1135

Mooresville, NC 28115-1135

(d) Simpson Performance Products, Inc.

330 South Main Street Mooresville, NC 28115-3262

(d) Supershoe LLC 4537 Orphanage Road Concord, NC 28027-9633 (d) Timothy Kean 131 Forest Ridge Road Mooresville, NC 28117-6519 (u)Union Security Insurance

(d) Watson Electric Co., Inc P.O. Box 467 Huntersville, NC 28070-0467 (d) Winberg Precision 2190 S. Jason Street Denver, CO 80223-4005 (d)Windstream PO Box 9001908

Louisville, KY 40290-1908

(u) Douglas Spees

End of Label Matrix
Mailable recipients 427
Bypassed recipients 52
Total 479